

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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PHILADELPHIA INDEMNITY INSURANCE  
COMPANY,

Plaintiffs,

v.

Case No. 21-12128

PPA 300, LLC, et al.

Defendant.

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**ORDER TO MEET AND CONFER AND NOTICE OF STATUS CONFERENCE**

The scheduling order dates in this matter have been extended six times, all at the parties' requests. (ECF Nos. 26, 30, 32, 34, 35, 12/20/2022 Minute Entry). Each time, the parties had professed the need for more time to conduct discovery and engage in settlement discussion. As it now stands, the discovery period is set to end on May 26, 2023, twenty months after the commencement of this action. (ECF No. 35.)

The parties have submitted another request to push the scheduling order deadlines for another three months. They claim that additional time is needed "to allow for discovery to be completed, outstanding discovery issues to be resolved, and determine whether this matter may be resolved through the requested further settlement conference with Magistrate Judge Ivy." Around the same time of this request, the court also received "Defendant/Counter-Plaintiffs' and Non-Parties' Motion for Protective Order and to Quash Subpoenas" (ECF No. 38) and "Plaintiff/Counter-Defendants' Motion for Protective Order" (ECF No. 39). The court has determined that a conference

is necessary to expedite disposition of the action, prevent further protraction of the case, and discourage wasteful pretrial activities. Accordingly,

IT IS ORDERED that parties' counsel shall appear in the court's chambers at 526 Water Street, Port Huron, Michigan for a status conference on May 18, 2023 at 11:30 am..

IT IS FURTHER ORDERED that before the conference, counsel shall meet and confer in good faith regarding outstanding discovery disputes and narrowing of issues. Counsel shall be prepared to discuss at the conference (1) whether the appointment of a private facilitative and/or discovery master under Federal Rule of Civil Procedure 53 would expedite the disposition of the pending discovery disputes and the ultimate resolution of this litigation, and (2) if so, the name(s) of at least one mutually agreeable individual who can serve as the master.

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 10, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 10, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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